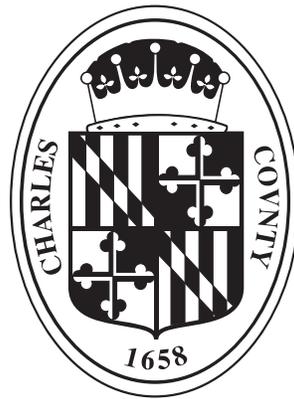


Charles County Pension Plan
PUBLIC SAFETY PARTICIPANTS
Summary Plan Description



Charles County Government
Department of Human Resources • 200 Baltimore Street • La Plata, Maryland 20646

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Introduction

The Charles County Pension Plan (“the Plan”) is a defined benefit plan which is sponsored by the County Commissioners of Charles County, Maryland (“the County”). This plan, funded jointly by you and by the County, is a valuable benefit and is intended to supplement Social Security and your personal savings in meeting your post-retirement needs.

Since the benefits provided by the Plan play a key role in your future financial security, we urge you to read this summarized description of the Plan carefully. Please remember, however, that this information is only an overview of the Plan’s important provisions. The legal Plan document is always the final reference in determining what benefits the Plan will provide. Should there be any question or conflict between the terms stated in this booklet and those in the Plan document, the terms of the Plan document will always prevail. If you have a question about the Plan or your benefits that is not answered by this booklet, consult the Plan document. If you would like your own copy of this document, you may obtain one by writing to the Plan Administrator (see “Getting Your Questions Answered” later in this Summary). There may be a small charge for this service.

This Plan covers **Non-Public Safety** and **Public Safety** employees of the County. For purposes of this plan, a **Dual Service Participant** is a participant who has accrued service with the County after July 1, 2004 in the capacity of both a Non-Public Safety participant and a Public Safety Participant.

This booklet only covers the provisions applicable to Public Safety Employees (EMTs and Paramedics).

Effective Date of the Plan

The Plan was established on July 1, 1968, and was most recently amended effective in 2018.

When And How You Become A Public Safety Participant

As a condition of employment with the Employer, except for elected officials of the County, any individual hired on or after July 1, 1997 in the Eligible Class must participate in the Plan. Participation is mandatory for any individual whose customary employment is for at least 1,950 hours per year. However, if your date of hire with the County was before July 1, 2016, or, in certain cases, you were rehired after July 1, 2016, participation is mandatory for any individual whose customary employment is for at least 1,250 hours per year.

Note: You are a “Public Safety Participant” if you are employed as a Paramedic or Emergency Medical Technician, unless you did not elect in 2004 to be treated as a Public Safety Participant. In addition, Employees who are in positions which qualify for participation in the Charles County Sheriff’s Office Retirement Plan (i.e., Police Officers, Correctional Officers and Communications Dispatchers) are not in the Eligible Class.

Once you meet the requirements listed above, you must sign and deliver to the Benefits Administrator a payroll deduction authorization for your Plan contributions to be deducted from your paycheck.

Your Contribution into the Plan

Your contribution is 8% of your Base Salary in effect at the beginning of the first full pay period closest to July 1 of each year and is deducted from your paycheck on a pre-tax basis. Note: the contribution rate was increased from 7% effective July 1, 2021.

The Factors That Determine Your Plan Benefit

Service

For the purpose of calculating your benefits, service is your years of continuous employment with the County as of the date you retire or the date you leave County employment. For purposes of determining: (1) whether you have reached your Normal Retirement Date or Early Retirement Date, (2) your vested percentage or (3) the amount of your annual retirement income, a participant shall receive 1/12th of a Year of Service for each calendar month during which you were an Employee for at least one-half of the month.

Normal Retirement Date

Your Normal Retirement Date will be the earlier of: (1) your 60th birthday or (2) the later of: (a) the date you complete 25 years of service or (b) the date you cease employment for the County.

Normal Retirement Date for a Dual Service Participant

The normal retirement date for a participant, after July 1, 2004, who has also been a Non-Public Safety Participant in the Plan (also known as a "Dual Service Participant") shall be determined based upon the position held at the time of termination of employment. A Dual Service Participant, who at the date of termination of employment is a Public Safety Participant, must have completed at least 10 years of service as a Public Safety Participant to be eligible for the Normal Retirement Date for a Public Safety Participant.

At the time of termination of employment, a Dual Service Participant's benefit will be calculated by adding together the benefit based on the years of credited service as a Public Safety Participant and the benefit based on the years of credited service as a Non-Public Safety Participant. For more information, please contact the Benefits Administrator.

Earnings and Final Average Earnings

Earnings is defined as your basic compensation *excluding* overtime, commissions, bonuses and any other additional compensation received from the County, but *including* any contributions that are not included in your gross income, such as pre-tax deductions for health-related benefits, contributions to this plan, or compensation deferred under the County's 457 program.

Final Average Earnings ("FAE") is the average of your three highest rates of earnings received on any three consecutive earnings computation periods during the last ten earnings computation periods before the earlier of your termination of employment date or your Retirement Date. Your "earnings computation period" is defined as the first full pay period closest to July 1 within the applicable plan year. The plan document contains additional details and examples of the determination of the earnings computation period.

If you have less than three consecutive rates of earnings, the average is taken by using the consecutive rates of earnings that are available.

Military Service

You may receive credit for up to three years of pre-employment active duty in the Armed Forces of the United States as additional years of service when calculating your retirement benefit. Additional service credit for active military duty that disrupts your employment will be granted as required by law.

A copy of your DD214 will be required to receive credit for military service. In addition, if your military service was earned before your employment with the County, you must work for the County 10 years before you will receive credit for the military service.

A participant may not receive additional service credit for military service if the participant is entitled to receive a benefit (except for disability benefits, Social Security benefits, or benefits under the Railroad Retirement, National Guard, or military reserve) from another retirement system on account of the military service.

Sick Leave

If you have unused accrued sick leave at the time of retirement, you may be eligible for additional annual retirement income as follows:

With a minimum of 500 hours of unused accrued sick leave, you will earn an additional 1.0% of FAE. For unused accrued sick leave over 500 hours, you will earn .1% for each additional 100 hours of unused sick leave, up to a maximum of 4%..

EXAMPLE:	2,000 hours of sick leave	= 2.5% of FAE
	2,000 – 500 hours	= 1,500 hours
	1,500/100	= 15
	15 x .1	= 1.5%
	+ 500 hours	= 1.0%

These hours of unused sick leave will not be counted as years of service for purposes of determining your eligibility to retire or your vested interest.

Sick Leave Credit for a Dual-Service Participant

Credit for unused sick leave is determined differently for Public Safety Participants and Non-Public Safety Participants. If you have unused accrued sick leave at the time of retirement, you may be eligible for additional annual retirement income. The additional benefit will be calculated based on the sick leave benefit applicable to the position you hold at the time of your retirement – Public Safety or Non-Public Safety.

Transfer of Credited Service from Another Maryland Government Employer

You may elect to transfer your prior Maryland State, County or Municipal credited service provided there is no break in service between your prior governmental service and your starting to work for the County, and you must have been a participant in a defined benefit plan sponsored by your prior employer. You shall receive full credit for your years of service under the prior plan.

If your prior plan was contributory, you will be required to transfer your contributions from your prior plan over to this plan. If your prior plan was non-contributory, your retirement benefit shall be reduced by the actuarial equivalent of the accumulated contributions you would have made into this plan, plus interest, had you earned the

prior service under this plan. Special rules apply for transfers of service credit for the Maryland State Retirement System.

Your election to transfer your prior service shall be irrevocable and must be made within one year of your participation in this Plan. The transfer will also be contingent upon your complete forfeiture of any benefits and service credits under your prior plan from which service is being transferred.

Additionally, if you retire and begin to collect a benefit within five years after the date you transfer any prior service to this Plan, the portion of your benefit with respect to your transferred service credit may not be greater than any benefit payable by your prior plan had you remained a participant in that plan.

Absences From Service

The following will not be considered interruptions of service for the County:

- Absence from employment on account of an authorized leave of absence not to exceed two years.
- Absence from employment on account of active duty with the Armed Forces of the United States provided that you return to active employment with the County as required by law.
- A leave of absence due to reasons covered under the Family and Medical Leave Act. In this case, service will be credited to the extent required by the Act.

What Happens to Service if You Terminate and are Rehired?

If you terminate your employment and are subsequently rehired, you will not be considered a new employee for purposes of this plan, provided:

1. You are rehired within 12 months of your termination date;
2. You had not elected to receive a refund of your employee contributions plus accrued interest, and
3. You had not reached your Normal Retirement Date on the date of your re-employment.

You will receive credit for your years of credited service prior to the initial termination date and after the re-employment date if you meet all three of these conditions.

If you terminate your employment and do not meet the conditions stated above, then you will be considered a new employee for purposes of this Plan and will not receive any credit for your prior service.

How Your Retirement Benefit Is Calculated

Normal Retirement

With respect to Public Safety Participants who reaches a Termination Date on or after July 1, 2021:

Your normal annual retirement benefit is calculated by adding (1), (2), and (3) as applicable:

- (1) 2.5% x Final Average Earnings ("FAE") x your years of service
- (2) Military Service preceding your employment with the County, up to three years
- (3) Additional percentage of FAE for unused accrued sick leave

EXAMPLE: 25 Credited Years of Service
 3 years of Pre-Employment Military Service
 2,000 hours of accrued sick leave = 2.5%
 \$75,000 Final Average Earnings

2.5% x \$75,000 x 25 years	= \$46,875
2.5% x \$75,000 x 3 years	= \$ 5,625
2.5% x \$75,000	= <u>\$ 1,875</u>
Annual retirement benefit	= \$54,375

With respect to Public Safety Participants who reaches a Termination Date prior to July 1, 2021:

Your normal annual retirement benefit is calculated by adding (1), (2), and (3) as applicable:

- (1) 2% x Final Average Earnings (“FAE”) x your years of service
- (2) Military Service preceding your employment with the County, up to three years
- (3) Additional percentage of FAE for unused accrued sick leave

EXAMPLE: 25 Credited Years of Service
 3 years of Pre-Employment Military Service
 2,000 hours of accrued sick leave = 2.5%
 \$75,000 Final Average Earnings

2% x \$75,000 x 25 years	= \$37,500
2% x \$75,000 x 3 years	= \$ 4,500
2.5% x \$75,000	= <u>\$ 1,875</u>
Annual retirement benefit	= \$43,875

Normal Retirement - Dual Service Participant

The normal retirement date for a participant who has also been a Non-Public Safety Participant in the Plan (also known as a “Dual Service Participant”) shall be determined based upon the position held at the time of termination of employment.

A Dual Service Participant, who at the date of termination of employment is a Public Safety Participant, must have completed at least 10 years of service as a Public Safety Participant to be eligible for the Normal Retirement Date for a Public Safety Participant.

At the time of termination of employment, a Dual Service Participant’s benefit will be calculated by adding together the benefit based on the years of credited service as a Public Safety Participant and the benefit based on the years of credited service as a Non-Public Safety Participant. For more information, please contact the Benefits Administrator.

Maximum Benefit

The maximum benefit provided under the plan is 75% of your FAE.

Credit for unused accrued sick leave or military service may only apply to the extent that the participant has not reached the maximum plan benefit. Once a participant reaches the 75% maximum benefit, any remaining unused accrued sick leave hours or military service will not be factored into the retirement benefit calculation.

EXAMPLE:	29.166 years of service (29 years and 2 months)	
	2,000 hours of sick leave = 2.5%	
	\$75,000 Final Average Earnings	
	2.5% x \$75,000 x 29.166	= \$54,686.25 (73% FAE)
	Maximum Addtl. Income for Sick Leave	= \$ 1,500 (2% FAE)
	TOTAL BENEFIT	= \$56,186.25 (75% FAE)

In addition, your benefit will be subject to any IRS limits that may be required to assure the plan's tax qualified status.

Early Retirement

You may retire before your Normal Retirement Date if you have completed at least 20 years of service.

Your Early Retirement benefit is calculated using the same formula as for Normal Retirement. However, the amount of the benefit would be actuarially reduced based on the length of time prior to your Normal Retirement Date that you retire. A sample of the reduction percentages is as follows:

<u>Years of Service</u>	<u>Reduction from Accrued Benefit</u>
20	30%
21	24%
22	18%
23	12%
24	6%

If you terminate your employment on a date which qualifies for early retirement, you may elect to delay receiving your annuity until your Normal Retirement Date. By so doing, you would eliminate the reduction in your benefit for the early payment of benefits.

If you have reached age 60, you are entitled to retire under the Normal Retirement provisions with no reduction in your benefit amount.

Early Retirement - Dual Service Participant

The early retirement date and early retirement benefit for a Dual Service Participant shall be determined based upon the position held at the time of termination of employment – Public Safety or Non-Public Safety. For more information, please contact the Benefits Administrator.

Late Retirement

If you continue to work after your Normal Retirement Date, the day on which you finally do retire is called your Late Retirement Date. Please note that your benefits under the Plan continue to accrue as long as you are employed but are still subject to the maximum benefit.

Your Late Retirement benefit will be equal to the greater of:

Annual Benefit

A percentage of your Final Average Earnings, based on percentage of disability as determined by the Disability Review Board, subject to a minimum of 15% and a maximum of 50%, *offset* by Worker's Compensation, Long Term Disability benefits, 50% of Social Security disability benefits, if any, and 35% of the difference between your actual earned income and the annualized rate of pay you would have received if still employed by the County. The Long Term Disability benefits may be coordinated with benefits from this Plan so that there is no offset.

- (3) You become totally and permanently disabled, after earning at least five (5) years of service, but your disability was not incurred in the line of duty and you are unable to perform the duties of any occupation.**

Annual Benefit

A percentage of your Final Average Earnings, based on percentage disability as determined by the Disability Review Board, subject to a minimum of 15% and a maximum of 40%, *offset* by Worker's Compensation, 50% of Social Security disability benefits, if any, and 35% of the difference between your actual earned income and the annualized rate of pay you would have received if still employed by the County.

No benefit under this provision is payable until monthly payments, if any, from the County's Long Term Disability plan have terminated.

- (4) You have suffered a catastrophic disability after earning at least five years of service, but your disability was not incurred in the line of duty, and you are unable to perform the duties of your job as a Paramedic or your job as an EMT.**

Annual Benefit

A percentage of your Final Average Earnings, based on percentage disability as determined by the disability Review Board, subject to a minimum of 15% and a maximum of 40%, *offset* by Worker's Compensation, 50% of Social Security disability benefits, if any, and 35% of the difference between your actual earned income and the annualized rate of pay you would have received if still employed by the County.

No benefit under this provision is payable until monthly payments, if any, from the County's Long Term Disability plan have terminated.

Catastrophic disability is the total loss of use of a limb, total loss of hearing or blindness.

General Provisions Pertaining to all Disability Benefits

Unless otherwise required by law, disability benefits shall not be payable on account of any injury or disease which:

1. Resulted from or consists of stress, chronic alcoholism or addiction to narcotics;
2. Was contracted, suffered or incurred while the Participant was engaged in, or resulted from his or her having engaged in a felonious act; or
3. Was intentionally self-inflicted.

General Provisions Pertaining Solely to Line of Duty Disability Benefits

Unless otherwise required by law, disability benefits shall not be payable on account of a disability which is the natural and proximate result of, or an aggravation of, a physical or mental condition which existed at the time the Participant commenced Service in an Eligible Class.

Your Plan Benefit When You Terminate Employment

The Plan provides a retirement benefit for a Public Safety Participant who terminates employment with the County provided you have completed at least five years of service at the time of termination and do not withdraw your contributions from the plan prior to your Normal Retirement Date. Note: Public Safety Participants who terminated employment prior to July 1, 2018 were fully vested if they had completed at least 20 years of service.

You are always 100% vested in your own contributions.

You will be 100% vested at normal retirement age if you are still actively employed. If your job classification is transferred from the jurisdiction of the County to the jurisdiction of the State of Maryland, you will also be 100% vested.

At the time you terminate employment, you may either elect to receive a lump sum distribution of your total contributions plus accrued interest; or, if you are vested in your benefit, leave your required contributions in the Plan to provide retirement benefits at a later time. However, if you choose to elect a cash refund of your total contributions, the amount distributed to you may be subject to Federal and State income tax and you will not be eligible to receive a monthly retirement benefit from the Plan in the future.

Direct Rollover Distributions

If you receive a distribution from the Plan in the form of a lump sum payment, you may choose to have all or part of your Plan Benefits rolled over directly to another qualified retirement plan or to a traditional individual retirement account (IRA). The portion of your distributed benefit that is rolled over will be exempt from the mandatory federal and state tax withholding rules that may otherwise be applicable to distributions. Detailed information will be provided by the Benefits Administrator at the time of termination.

Transfer of Service to Another Government Employer

If you terminate employment with the County and immediately begin employment with another government employer within the State of Maryland and become a Participant in that retirement plan, your service earned under this Plan may be transferrable to your new employer's retirement plan. You should contact the administrator of the new retirement plan for further details as soon as possible following your first day of employment with the new employer.

Forms Of Benefit Payment

Your retirement benefit will be paid in the form of an annuity. An annuity is defined as the payment of a benefit in equal monthly payments, over your life, or over your life and the life of a designated beneficiary. You may choose among several different annuity arrangements. Depending on your election, you can provide a lifetime monthly income to your spouse or another beneficiary when you die after retirement.

Whether you choose to retire on an Early, Normal or Late basis, the Benefits Administrator will give you information about the Normal Form of Payment and your other payment options 30 to 90 days before your benefit payments are due to begin, and you may make your election at that time.

It is important to note that once your monthly annuity payments begin, your decision as to the form of payment and the identity of your contingent pensioner, if any, is final and cannot be changed even if you divorce or the person you name as a contingent pensioner dies before you.

In this section, we will discuss the Normal Form of Payment as well as your other payment options.

Normal Form Of Payment

Your retirement income will be paid in the form of a Modified Cash Refund/Single Life Annuity -- that is, in level monthly payments to you as long as you live. If, after you die, any amount of your required contributions plus interest still remains, your beneficiary will receive that amount at the time of your death. However, if the total amount of retirement income paid to you before your death is more than your required contributions plus interest, your beneficiary will not receive any benefits after your death.

Ten Years Certain And Life Annuity

The Ten Years Certain And Life Annuity provides you with monthly payments for as long as you live, with a guarantee of at least 10 years of payments. If you die within ten years after you retire, your beneficiary will receive the same monthly payments for the remainder of that 10-year period. If you die more than 10 years after your retirement date, no benefit will be paid after your death.

Contingent Pensioner Annuity

The Contingent Pensioner Annuity will provide you with monthly payments for life but, upon your death after retirement, payments will continue to a contingent pensioner for as long as that person lives. These payments may be 100%, 66-2/3% or 50% of your reduced income.

The Ten Years Certain and Life Annuity and Contingent Pensioner Annuity will generally provide a lower monthly payment than the Modified Cash Refund/Single Life Annuity form of payment because payments are designed to be made over two lives (yours and your beneficiary's)..

Survivor Benefits

Death Before Normal Retirement Date

(A) Your spouse, provided you were married for at least one year at date of death, or dependent children will be eligible to receive a benefit should you die prior to your retirement date or normal retirement date, whichever is earlier, and had not terminated service with the County.

There are two provisions for death benefits under the plan..

(1) If you die in the line of duty, the annual death benefit will be:

66-2/3% of your Final Average Earnings less any survivor benefits paid to surviving spouse and/or dependent children under the Federal Social Security Act.

(2) If your death was not incurred while in the line of duty, the annual death benefit will be:

100% of the normal retirement benefit accrued to date of death.

An adjustment will be made to the death benefits if your spouse is more than nine years younger than you. The percentage will be reduced by 1% for each year's difference in age over nine years.

The benefit will be payable for your spouse's lifetime or until your spouse remarries. In the event that you spouse does not survive you or in the event of your spouse's death after your death, your benefit will be payable in equal shares to your dependent children.

(B) If you die before your retirement date or normal retirement date, whichever is earlier, and are not married or your spouse is not eligible to receive a benefit under section (A) above, your beneficiary will receive a cash out of your contributions together with interest computed thereon to the date of your death. However, no such refund shall be made if you had previously elected to receive a cash out of your contributions.

Death after Normal Retirement Date but Before Termination Date

If you are Married: Your spouse would be entitled to receive a monthly benefit from the Plan. The benefit amount would equal the 100% Contingent Pensioner form of annuity as calculated using the Normal Retirement benefit calculation.

If you are Not Married: Your beneficiary would be entitled to a lump sum disbursement equal to your employee contributions plus accrued interest. Upon reaching your normal retirement date, you may, however, designate an optional form of payment for your beneficiary.

Death While Receiving a Disability Retirement Benefit

Upon your death, your surviving spouse will receive one-half (½) of your disability retirement annuity. The benefit will be payable for your spouse's lifetime or until your spouse remarries, if remarriage occurs prior to your spouse attaining age 60.

In the event that your spouse does not survive you or in the event of your spouse's death before your surviving children attain age 18, one-half (½) of your retirement annuity will be equally divided among your surviving children under the age of 18 until the youngest child attains age 18.

If you die while receiving disability benefits from the Plan and you are not survived by either a spouse or at least one dependent child under the age of 18, no death benefits will be payable.

Receiving Your Plan Benefit

To Make A Claim

You do not normally have to file a claim to receive any benefits to which you are entitled. However, if you feel there is a problem regarding your benefits, you may file a written claim with the Plan Administrator stating the specific reasons you feel you are entitled to other benefits. After a full review of the claim, you will be notified in writing that it has either been approved or denied.

If Your Claim Is Denied

The Plan Administrator follows a written procedure for determining appeals of claim denials. Generally, you have 15 days following denial of your claim to appeal the denial. Upon request to the Plan Administrator, a copy of the "Procedures for Determining Entitlement to Rights, Status or Benefits will be provided to you.

Getting Your Questions Answered

The Plan Administrator is a committee comprised of the following:

- County Administrator or designee
- Director of Fiscal and Administrative Services or designee
- Director of Human Resources or designee
- Deputy Director of Human Resources or designee
- County Attorney or designee
- A County Employee
- A County Resident
- A former County employee who is receiving retirement benefits or is eligible to receive retirement benefits in the future

The Committee may be contacted at:

County Commissioners of Charles County, Maryland
Charles County Government Building
200 Baltimore Street
La Plata, MD 20646
(301) 645-0577 or 870-2681

In addition to administering the Plan, the committee is responsible for benefit information and the Plan's adherence to legal requirements. Service of legal process may be made upon this committee.

Continuation Of The Plan

While the County fully intends to continue this Plan indefinitely, it does reserve the right to modify, suspend or terminate the Plan at any time. However, no modification, suspension or termination of the Plan may reduce any benefits you have already accrued. Should the Plan be terminated, you will not earn any additional benefits, but you will be 100% vested in your accrued retirement income at the time of the Plan's termination.

HOW TO CONTACT THE COMMITTEE

Plan Administrator: Retirement Plan Committee
Charles County Government – Department of Human Resources
La Plata, Maryland 20646
301-645-0585 • 301-870-2681

CHARLES COUNTY COMMISSIONERS



Charles County Government

200 Baltimore Street • La Plata, Maryland 20646
301-645-0550 • 301-870-3000
MD Relay: 711 • Relay TDD: 1-800-735-2258
Equal Opportunity Employer

www.CharlesCountyMD.gov

About Charles County Government

The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning and have an appropriate managerial organization tempered by fiscal responsibility. We support and encourage efforts to grow a diverse workplace. Charles County is a place where all people thrive and businesses grow and prosper; where the preservation of our heritage and environment is paramount; where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.

It is the policy of Charles County to provide equal employment opportunity to all persons regardless of race, color, sex, age, national origin, religious or political affiliation or opinion, disability, marital status, sexual orientation, genetic information, gender identity or expression, or any other status protected by law.

ISSUANCE DATE: JANUARY 2022